

**RESULTS OF INVESTIGATION:** The product originally was labeled as "Slender Lotion" when shipped to the consignee by the Lovely Lady Products Co. With the July 18, 1953, shipment, the Lovely Lady Products Co. provided the consignee with new labeling designating the product as "Magique Lotion," which labeling consisted of a number of empty cartons and a number of loose labels. The consignee relabeled the product by affixing to each bottle one of the loose labels and packing into each of the empty cartons one of the relabeled bottles and one of the above-mentioned circulars.

**LABEL, IN PART:** (Carton) "Lovely Lady Formula, 53 Magique Lotion Formerly Known as 'Slender Lotion'"; (bottle) "Lovely Lady Magique Lotion An Aid To Beauty \* \* \* Contains Aluminum Potassium Sulphate, Magnesium Sulphate, Sodium-Hypochlorite (5%), Gum Camphor, Oil of Peppermint, Oil of Cloves, Benzoic Acid, Eugenol, Oil of Eucalyptus \* \* \* Contents 16 Oz."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, the carton label and the aforesaid circulars and cards accompanying the article, were false and misleading. The statements represented and suggested that the article was an effective aid in reducing overweight; removing unwanted flesh; producing a slender, petite figure; benefiting the conditions of "flabby skin around our tummies," and "heavy hips and thighs, and legs"; removing fat from the body; eliminating "double chin"; and strengthening sagging chin muscles and sagging flabby flesh or skin. The article was not an effective aid for such purposes. The article was misbranded when introduced into, while in, and while held for sale after shipment in, interstate commerce.

**DISPOSITION:** January 28, 1954. Default decree of forfeiture and destruction.

**4318. Misbranding of kelp tablets. U. S. v. 18,000 Tablets, etc. (F. D. C. No. 35249. Sample Nos. 65645-L, 65646-L.)**

**LIBEL FILED:** May 18, 1953, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about February 11, 1953, from Gardena, Calif.

**PRODUCT:** *Kelp tablets.* 18,000 tablets in bulk and 141 bottles, each bottle containing 125 tablets, at Chicago, Ill., in possession of Frederick Herrschner, together with a number of booklets entitled "Price List of Vi Vi Bx."

**RESULTS OF INVESTIGATION:** The shipment of the *kelp tablets* from California was a bulk shipment. After receipt of the tablets at Chicago, Ill., a number of the tablets were repackaged into bottles by the consignee. The above-mentioned booklets were printed for the consignee in January 1953.

**LABEL, IN PART:** (Bottle) "Vi Vi Bx \* \* \* Pure Sea Kelp (dehydrated) \* \* \* A Supplementary Source of Food Iodine 125 Tablets 10 grains each Frederick Herrschner Sole Distributors 410 So. Wells St., Chicago 7, Ill. One tablet furnishes 7 times the minimum daily requirement for iodine."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the above-mentioned booklets accompanying the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for excessive fatigue with aching muscles and cramps, overweight, drowsiness during the day, undue cold hands and feet, low metabolism, falling hair, and jittery nerves. The article was not an adequate and effective treatment for such conditions. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 14, 1954. Default decree of condemnation and destruction.

**4319. Misbranding of Master violet ray devices. U. S. v. Master Appliances, Inc. Plea of guilty. Fine of \$2,000, plus costs. (F. D. C. No. 35561. Sample Nos. 50206-L, 50207-L.)**

**INFORMATION FILED:** October 20, 1953, Northern District of Indiana, against Master Appliances, Inc., Marion, Ind.

**ALLEGED SHIPMENT:** On or about October 10, 1951, and April 2, 1952, from the State of Indiana into the State of New York, of a number of devices known as *Master Violet Ray Outfit No. 2B* and *Master Violet Ray Outfit No. 9*.

**PRODUCT:** The *Master Violet Ray Outfit No. 2B* consisted of an electrical device and 3 glass tubes designated "No. 1 General Electrode," "No. 3 Comb-Rake Electrode," and "No. 12a Glass Electrode." The device itself consisted of a spark gap oscillator in a black bakelite-like plastic case having a green control knob on one end of the case and a hole at the other end. The control knob varied the size of the spark gap. Any one of the three electrodes could be fitted into the hole at the end of the case. The electrodes consisted of hollow glass tubes filled with gas and having metal sleeves on the ends which would fit into the oscillator.

The *Master Violet Ray Outfit No. 9* contained an electrical device and 1 glass tube designated "No. 1 General Electrode." The device was constructed similarly to the *Master Violet Ray Outfit No. 2B*, but was limited to accommodate only the "general electrode."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in a leaflet entitled "Master Appliances for Health and Beauty," accompanying the devices, were false and misleading. The statements represented and suggested that the devices would provide an adequate and effective treatment for achieving good health, for relieving all pain and congestion, for stimulating the circulation, for restoring vigor and youth, for facial blemishes, for baldness, for preventing baldness, and for innumerable disorders, and that the devices would insure a clear, healthy complexion. The devices would not provide an adequate and effective treatment for such purposes and conditions, and they would not insure a clear, healthy complexion.

**DISPOSITION:** January 29, 1954. The defendant having entered a plea of guilty, the court fined it \$2,000, plus costs.